



House of Commons

Tuesday 1 December 2015

PUBLIC BILL COMMITTEE PROCEEDINGS

HOUSING AND PLANNING BILL

[TENTH AND ELEVENTH SITTINGS]

Gareth Thomas

Negated on division 89

Clause 56, page 24, line 8, at end insert “except in respect of high value sheltered housing which has been provided or adapted for the use of elderly or disabled people.”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Not called 146

Clause 56, page 24, line 8, at end insert “with the exclusion of—

- (a) supported housing for older people,
- (b) supported housing units (including self-contained homes where floating support is provided for vulnerable people),
- (c) key worker housing (which includes self-contained flats subject to nomination agreements with 3rd parties),
- (d) units that form part of major regeneration schemes planned or already under way,
- (e) rural settlements,
- (f) homes built for charitable purposes without Government grant and homes provided through Section 106 agreements requiring stock to be kept as social housing in perpetuity,
- (g) cooperative housing,
- (h) Almos, and
- (i) almshouses.”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Withdrawn 147

Clause 56, page 24, line 10, at end insert “and must be of full market value reimbursement for the discount on the sale of Right to Buy.”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Negatived on division **148**

Clause **56**, page **24**, line **10**, at end insert—

“(2A) The conditions at subsection (2) must include a condition that money equivalent to the market value (disregarding any discount) of a dwelling sold under right to buy and to which the grant applies is spent by the private registered provider on the provision of affordable housing in the same county, including at least one new home replacing that sold which is—

- (a) of the same tenure,
- (b) located in the same local authority area, and
- (c) in accordance with assessed local housing need.”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn **149**

Clause **56**, page **24**, line **13**, at end insert—

“(4) Grants must not be payable on properties bought and turned into buy to let dwellings within ten years”.

Clause agreed to.

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not called **150**

Clause **57**, page **24**, line **18**, at end insert “and must be of full market value reimbursement for the discount.”

Sadiq Khan
Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook
Ms Harriet Harman

Jim Fitzpatrick
Helen Hayes
Gareth Thomas
Stephen Timms
Dawn Butler
Catherine West

Emily Thornberry
Tulip Siddiq
Andy Slaughter
Meg Hillier
Mr Chuka Umunna
Rushanara Ali

Vicky Foxcroft
Wes Streeting
Kate Osamor
Ms Karen Buck
Stephen Pound
Mr Virendra Sharma

Not called **151**

Clause **57**, page **24**, line **18**, at end insert—

“(3) The conditions at subsection (2) must include a condition that money equivalent to the market value (disregarding any discount) of a dwelling sold under Right to Buy and to which the grant applies is spent by the private registered provider on

Housing and Planning Bill, *continued*

the provision of affordable housing in London, including at least one new home replacing that sold which is—

- (a) of the same tenure,
- (b) located in the same London borough, and
- (c) in accordance with assessed local housing need.”

Clause agreed to.

Gareth Thomas

Withdrawn 188

Clause 58, page 24, line 22, at end insert “which will include the use of local occupancy clauses as defined by section 157 of the 1985 Housing Act”

Gareth Thomas

Withdrawn 92

Clause 58, page 24, line 32, at end insert—

- “(7) The Regulator in monitoring compliance must report where a community led housing provider as defined at Schedule [New Schedule 1: community-led housing schemes] or a tenant management organisation as defined by [New Clause: Tenant Management Organisations] has in breach of this Act used grants made by the Secretary of State to facilitate or meet a discount in respect of a right to buy discount.”

Gareth Thomas

Negatived on division 187

Clause 58, page 24, line 32, at end insert—

- “(7) The Secretary of State and the Mayor of London must publish an annual report and impact assessment setting out how many housing association properties have been sold off and its impact on homelessness in Greater London.”

Clause agreed to.

Brandon Lewis

Agreed to 178

Clause 59, page 25, line 5, after “Consent” insert “in respect of a disposal of land in England”

Brandon Lewis

Agreed to 179

Clause 59, page 25, line 8, after “Consent” insert “in respect of a disposal of land in England”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Withdrawn 152

Clause 59, page 25, line 8, at end insert—

“(3) Portability of the discount must only apply where practicable in terms of availability of suitable properties for disposal and vacancy timescales.”

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Not called 153

Clause 59, page 25, line 8, at end insert—

“() Property offered under portability must be of—
 (a) similar size,
 (b) similar or improved quality,
 (c) in an area agreed by the tenant, and
 (d) subject to an appeal mechanism.”

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Withdrawn 154

Clause 59, page 25, line 8, at end insert—

“() The discount should remain in perpetuity.”

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Withdrawn 155

Clause 59, page 25, line 8, at end insert—

“() A dwelling must not be sold under the Right to Buy without the Housing Association having the ability to—
 (a) verify the source of funding for purchase,
 (b) establish who is occupying the property,
 (c) check that the person/s seeking to purchase the property under Right to Buy has no interest in another property,
 (d) have sufficient time to carry out checks for fraudulent activity, and
 (e) be able to prepare reports on (a) – (d) for the Housing Association Board of Trustees to consider.”

Clause, as amended, agreed to.

Clause 60 agreed to.

Clause 61 agreed to.

Housing and Planning Bill, *continued*

Gareth Thomas

Negated on division **186**

Clause **62**, page **26**, line **7**, at end insert “except in respect of a local housing authority within Greater London.

- (1A) In respect of a local housing authority within Greater London the Mayor of London after consultation with the London Assembly may make a determination requiring the authority to make a payment to the Mayor in respect of a financial year.”

Gareth Thomas

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Not called **144**

Clause **62**, page **26**, line **7**, at end insert—

- “(1A) Before making a determination under subsection (1) requiring a local housing authority within Greater London to make a payment, the Secretary of State must obtain the consent of the Mayor of London and the London Assembly.”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Withdrawn **157**

Clause **62**, page **26**, line **11**, at end insert—

- “(2A) The total payment required from all affected local authorities in any financial year shall not exceed the total grant paid in that year to private registered providers in respect of right to buy discounts.”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Not called **158**

Clause **62**, page **26**, line **11**, at end insert—

- “(2B) The costs and deductions referred to in section 62(2)(b) must include an estimate of the cost of replacing each high value dwelling sold with a dwelling with the same number of bedrooms in the same local authority area.”

Dr Roberta Blackman-Woods

John Healey

Teresa Pearce

Matthew Pennycook

Withdrawn **159**

Clause **62**, page **26**, line **25**, at end insert—

- “() Regulations under subsection (8) may not define a dwelling as “high value” if its sale value is less than the cost of rebuilding it and providing a replacement dwelling with the same number of bedrooms in the same local authority area.”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not called **160**

Clause **62**, page **26**, line **25**, at end insert—

“() The definition of “high value” must be based on the housing market within the local authority.”

Helen Hayes

Withdrawn **189**

Clause **62**, page **26**, line **25**, at end insert—

“(10) Existing Tenant Management Organisations (as defined by The Housing (Right to Manage) Regulations 1994), that also fulfil the definition of a community-led organisation as defined at Schedule ([New Schedule 1: community-led housing schemes]), will retain the benefit of right to buy and high value sales, provided it is invested in new housing.”

Gareth Thomas
Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not selected **95**

Page **26**, line **4**, leave out Clause 62

Clause agreed to.

Gareth Thomas

Not moved **90**

Clause **63**, page **26**, line **27**, at end insert—

“(1A) This section does not apply to sheltered housing which has been provided or adapted for the use of elderly or disabled people, irrespective of whether it is vacant or may become vacant.”

Gareth Thomas

Not moved **96**

Clause **63**, page **26**, line **31**, at end insert—

“(c) it is not a Tenant Management Organisation as defined for the purpose of section 27AB(8) of the Housing Act 1985, currently by the Housing (Right to Manage) Regulations 1994 (Statutory Instrument 627, 1994).”

Gareth Thomas

Not called **145**

Clause **63**, page **26**, line **31**, at end insert—

“(c) it is not in an area of high homelessness as defined by the Regulator for Social Housing.”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn 162

Clause 63, page 26, line 37, at end insert “for a period of no more than 5 years after the housing has been transferred to a private registered provider of social housing”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn 163

Clause 63, page 26, line 39, at end insert—

- “() Regulations shall provide that housing shall be excluded where a vacancy has occurred as a result of the transfer of the former tenant to alternative accommodation in the social rented sector, where accommodation in the social rented sector means any accommodation owned or let by a local authority or other registered provider of social housing.”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not called 164

Clause 63, page 26, line 39, at end insert—

- “() Regulations shall provide that housing shall be excluded where a vacancy has occurred as a result of the eviction of the former tenant from the relevant dwelling on account of anti-social behaviour caused by the tenant, or by a person residing in or visiting the relevant dwelling.
- () In subsection (), “anti-social behaviour” shall have the same meaning as in section 2 of the Anti-social Behaviour Crime and Policing Act 2014.”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn 165

Clause 63, page 26, line 39, at end insert—

- “() Regulations shall provide that housing shall be excluded where it forms part of a housing regeneration scheme or consists of specialist housing or recently improved housing.
- () In subsection (), a “housing regeneration scheme” means a programme of regeneration or development of an area which includes the provision or improvement of housing and for which finance may be available under section 126 of the Housing Grants, Construction and Regeneration Act 1996.
- () In subsection (), “specialist housing” means any housing designed for or intended for occupation by older persons or persons needing care or support or persons with mental health problems or learning disabilities; or which has features which are designed to make it suitable for occupation by a physically disabled person; or which it is the practice of the landlord to let for occupation by persons with special needs.
- () In subsection (), housing shall be considered to have been recently improved if substantial works of repair or improvement have been carried out on the relevant dwelling or group of dwellings within the previous two years.”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Page 26, line 26, leave out Clause 63

Clause agreed to.

Not selected 166

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Page 27, line 1, leave out Clause 64

Clause agreed to.

Not selected 167

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Page 27, line 17, leave out Clause 65

Clause agreed to.

Not selected 168

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Page 27, line 34, leave out Clause 66

Clause agreed to.

Not selected 169

Housing and Planning Bill, *continued*

Zac Goldsmith
 Boris Johnson
 Mr Nick Hurd
 Stephen Hammond
 Mr David Burrowes
 Dr Tania Mathias

James Berry
 Mark Field
 Robert Neill
 Mark Prisk

Bob Stewart
 Andrew Rosindell
 Dame Angela Watkinson

Paul Scully
 Victoria Borwick
 Bob Blackman

Withdrawn 1

Clause 67, page 28, line 7, at end insert—

“(2A) In the case of a proposal for an agreement under subsection (1) between the Secretary of State and a local housing authority which is within Greater London as defined by section 2 of the London Government Act 1963 the Secretary of State shall—

- (a) have particular regard to the extent to which the agreement will contribute to the target set under section [New Clause 1; Target for new affordable housing provision in Greater London], and
- (b) consult the Mayor of London.”

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Withdrawn 170

Clause 67, page 28, line 8, at end insert—

- “(4) Notwithstanding the generality of subsection (1), housing shall not be taken into account under section 62(2) unless the proceeds of sale of every relevant property are applied to fund the construction of a new property in the same locality which is to be let as social housing on terms (as to rent, security of tenure and generally) which are substantially the same as those on which the original dwelling was let.
- (5) No determination by the Secretary of State under section 62(1) shall be made except on the basis of a deduction representing the cost of replacing the relevant dwelling or dwellings under subsection (2A), and no assumption to the contrary shall be made under section 62(7) in making such determination.
- (6) The amount of any payment determined on the basis of subsections (4) and (5) may be nil.”

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Not selected 171

Page 28, line 1, leave out Clause 67

Clause agreed to.

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not selected **172**

Page **28**, line **9**, leave out Clause 68

Clause agreed to.

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn **173**

Clause **69**, page **28**, line **19**, leave out “must consider selling its interest in any high value” and insert “must have regard to the duty in subsection (1A) when selling its interest in any”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Negatived on division **174**

Clause **69**, page **28**, line **20**, at end insert—

- “(1A) A receipt arising from the disposal of a dwelling must be used to achieve the provision of at least one new affordable dwelling to replace that sold, which is—
- (a) of the same tenure,
 - (b) located in the same local authority area, and
 - (c) in accordance with assessed local housing need.”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not called **175**

Clause **69**, page **28**, leave out lines 24 and 25

Gareth Thomas

Not called **91**

Clause **69**, page **28**, line **25**, at end insert—

- “(3A) The duty in subsection (1) does not apply to sheltered housing which has been provided or adapted for the use of elderly or disabled people.”

Gareth Thomas

Not moved **98**

Clause **69**, page **28**, leave out line 27 and insert—

- “(a) not dispose of more than 10% of all council homes in its area;
- (b) have regard to whether its housing register is increasing in size; and
- (c) have regard to any guidance given by the Secretary of State.”

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Withdrawn **176**

Clause **69**, page **28**, line **27**, at end insert—

“(5) Regulations shall provide that housing which has been newly constructed or substantially renovated within the period of two years before a determination shall be excluded from the duty in subsection (1).”

Gareth Thomas
 Dr Roberta Blackman-Woods
 John Healey
 Teresa Pearce
 Matthew Pennycook

Not selected **97**

Page **28**, line **17**, leave out Clause 69

Clause agreed to.

Clause 70 agreed to.

Brandon Lewis

Agreed to **180**

Clause **71**, page **29**, leave out lines 4 and 5 and insert—

- “(1) Section 11 of the Local Government Act 2003 (use of capital receipts) is amended as follows.
- (2) In subsection (5), after “an authority” insert “in Wales”.
- (3) After subsection (5) insert—”

Brandon Lewis

Agreed to **181**

Clause **71**, page **29**, line **7**, after “authority” insert “in England”

Gareth Thomas

Not moved **185**

Clause **71**, page **29**, line **12**, at end insert—

“(2) The Localism Act 2011 is amended as follows.

Leave out section 171 (Limits on indebtedness).”

Clause, as amended, agreed to.

Clause 72 agreed to.

Housing and Planning Bill, *continued*

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn **194**

Clause 73, page 29, line 36, after “control”, insert “in respect of ensuring quality in social housing”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not moved **195**

Clause 73, page 29, line 37, at end insert “, including giving such providers more freedom to use their balance sheet capacity through strategic asset management”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Not called **196**

Clause 73, page 29, line 37, at end insert “, including, but not limited to, disposals consent, allocations, valuation and planning”

Gareth Thomas

Not moved **143**

Clause 73, page 29, line 37, at end insert—

- “(2) Before making regulations under subsection (1) the Secretary of State shall publish a report setting out—
- (a) the extent to which the Freedom of Information Act 2000 applies to private registered providers of social housing in England since they have been reclassified as Public Non-Financial Corporations by the Office for National Statistics; and
 - (b) his plans to apply the Freedom of Information Act 2000 to registered providers of social housing in England.”

Dr Roberta Blackman-Woods
John Healey
Teresa Pearce
Matthew Pennycook

Withdrawn **197**

Clause 73, page 29, line 37, at end insert—

- “(2) The Secretary of State must consult local housing authorities on any proposed regulations aimed at reducing regulatory control over private registered providers of social housing or their affairs.
- (3) Once implemented private registered providers of social housing must consult the local housing authorities affected by any proposed changes to their policies in areas such as, but not limited to, nomination agreements, stock disposals and new build development programmes.”

Housing and Planning Bill, *continued*

Gareth Thomas

Not selected **99**

Page **29**, line **34**, leave out Clause 73

Clause agreed to.

[Adjourned until Thursday at 11.30am